

April 22, 2014

EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



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File No. 12-01963

Signed: April 22, 2014

ALAN JAROSLOVSKY U.S. Bankruptcy Judge

A handwritten signature in black ink, appearing to read "Alan Jaroslovsky".

Attorneys for Movant,
THE BANK OF NEW YORK
MELLON FKA THE BANK OF
NEW YORK, AS TRUSTEE FOR
THE CERTIFICATEHOLDERS OF
CWMBS, INC., CHL MORTGAGE
PASS-THROUGH TRUST 2004-4,
MORTGAGE PASS THROUGH
CERTIFICATES, SERIES 2004-4

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

SANTA ROSA DIVISION

In re:

PATRICIA ANNE KENDALL,

Debtor.

Case No.: 12-10652-AJ

Chapter 13

R.S. No. N/A

Hearing –

Date: March 27, 2014

Time: 9:00 A.M.

Place: 99 South "E" Street
Santa Rosa, CA 95404
Courtroom N/A

ORDER ON MOTION FOR RELIEF FROM AUTOMATIC STAY

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS, INC., CHL MORTGAGE
PASS-THROUGH TRUST 2004-4, MORTGAGE PASS THROUGH CERTIFICATES,
SERIES 2004-4's Motion for Relief from Automatic Stay came on regularly for hearing on

1 March 27, 2014 at 9:00 A.M. before the Hon. Alan Jaroslovsky. All appearances were as noted
2 in the Court's record.

3 Based upon the pleadings contained herein and oral argument,

4 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in
5 the above-entitled Bankruptcy case shall be terminated and extinguished as to Movant, THE
6 BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR
7 THE CERTIFICATEHOLDERS OF CWMBS, INC., CHL MORTGAGE PASS-THROUGH
8 TRUST 2004-4, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2004-4, its
9 assignees and/or successors in interest, and Movant may proceed with a foreclosure of and hold a
10 Trustee's Sale on the subject property, generally described as **206 Webster Street, Petaluma,**
11 **CA 94952** ("Property" herein) effective on May 27, 2014 unless either (1) the Debtor becomes
12 post-petition current on mortgage payments owed to Movant or (2) the Debtor has entered into a
13 loan modification agreement with Movant.

14 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the 14-day stay
15 provided by Bankruptcy Rule 4001(a)(3) is waived.

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Order shall be
17 binding and effective despite any conversion of this bankruptcy case to a case under any other
18 chapter of Title 11 of the United States Code.

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that when this order
20 becomes a final order, the chapter 13 Trustee shall cease making payments on Movant's claim.

21 EXHIBIT LEGAL DESCRIPTION for the Order Docket Entry # 39

22 ** END OF ORDER **

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24 (12-01963/ndots.dot/ghg)

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COURT SERVICE LIST